

Guns -

Ulyses

2014

Motion to  
Suppress Evidence  
Granted

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

**CRIMINAL MINUTE ORDER**

**Date: October 29, 2014**

**Time in Court: 2 hours 52 minutes**

**Case No.: CR-13-704 JSW**

**Judge: Jeffrey S. White**

**United States of America v.**

**Garcia (01)  
Present ( X ) Not Present ( ) In-Custody ( )  
with Counsel: Steven Teich**

**Ulyses   
Present ( X ) Not Present ( ) In-Custody ( )  
with Counsel: Brian Berson**

**Garth Hire  
U.S. Attorney**

**Deputy Clerk: Jennifer Ottolini**

**Court Reporter: Diane Skillman**

**Spanish Interpreter (for Def. 01): Monique Inciarte / Ines Swaney (Not used at Defendant's request)**

**PROCEEDINGS**

**REASON FOR HEARING: Franks Hearing (Evidentiary Hearing)**

**RESULT OF HEARING: (see attached MINUTES, EXHIBIT and WITNESS LIST)**

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

Case No.: CR-13-704 JSW

United States of America v. [REDACTED]

[REDACTED] (01) - Present ( X ) Not Present ( ) In-Custody ( )  
 Ulyses G. [REDACTED] (02) - Present ( X ) Not Present ( ) In-Custody ( )

**MINUTES, EXHIBIT and WITNESS LIST**

<b>DISTRICT JUDGE</b> JEFFREY S. WHITE	<b>GOVERNMENT ATTORNEY:</b> Garth Hire	<b>DEFENSE ATTORNEYS:</b> Steven Teich (Def. 01) Brian Berson (Def. 02)
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<b>EVIDENTIARY HEARING</b> DATE: October 29, 2014	<b>REPORTER(S):</b> Diane Skillman	<b>COURTROOM DEPUTY:</b> Jennifer Ottolini
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GOVT. NO.:	DEFT. NO.:	TIME	ID	ADM	DESCRIPTION
		10:01 a.m.			Court convened. All counsel are present. The Defendants are present. Defendant Valentin Cortez Garcia (01), through his counsel, informed the Court that he wishes to proceed without a Spanish Interpreter for this hearing. The two Spanish interpreters shall remain for the hearing in case the defendant changes his mind.
		10:03 a.m.			The Government called <b>RAMON JACOBO</b> , who was sworn and testified under direct examination of Mr. Hire.
1			X	X	Affidavit and Search Warrant
2			X	X	Invoices billed to Bull Magazine and AR-15 Supply
3			X	X	receipts from Bull Magazine and AR-15 Supply
		10:21 a.m.			Cross examination of <b>RAMON JACOBO</b> by Mr. Berson.
		11:08 a.m.			Cross examination of <b>RAMON JACOBO</b> by Mr. Teich.
	A-1		X	*	USDC Search Warrant signed by Agent Mauricio (*Counsel shall submit a clean, unmarked version of exhibit of A-1 which the Court will then admit into evidence.)
		11:33 a.m.			Court is in recess.
		11:50 a.m.			Court reconvened. All counsel are present. The Defendants are present. Cross examination of <b>RAMON JACOBO</b> by Mr. Teich continued.
		12:08 p.m.			Re-direct examination of <b>RAMON JACOBO</b> by Mr. Hire.

Case No.: CR-13-704 JSW

United States of America v. [REDACTED] (01) - Present ( X ) Not Present ( ) In-Custody ( )  
Ulyses [REDACTED] - Present ( X ) Not Present ( ) In-Custody ( )**EXHIBIT and WITNESS LIST CONTINUED**

GOVT NO.:	DEFT. NO.:	TIME	ID	ADM	DESCRIPTION
		12:12 p.m.			Witness is thanked and excused. The Government rests. Defendant Ulyses Cortez Contreras, by Mr. Berson, called <b>ERIK CROWDER</b> , who was sworn and testified under direct examination.
	B-1		X	X	photograph of trailer
		12:27 p.m.			Court is in recess for 30 minutes.
		1:01 p.m.			Court reconvened. All counsel are present. The Defendants are present. Direct examination of <b>ERIK CROWDER</b> by Mr. Berson continued.
		1:08 p.m.			No examination by Mr. Teich on behalf of Defendant Valentin Cortez Garcia. Cross examination of <b>ERIK CROWDER</b> by Mr. Hire.
		1:09 p.m.			Re-direct examination of <b>ERIK CROWDER</b> by Mr. Teich.
		1:11 p.m.			Witness is thanked and excused. The Defendants rest.
		1:13 p.m.			The Court heard argument from Government by Mr. Hire.
		1:16 p.m.			The Court heard argument from Mr. Teich.
		1:23 p.m.			The Court heard argument from Mr. Berson.
		1:26 p.m.			The matter is submitted. The Court is in recess pending ruling.
		2:25 p.m.			Court reconvened. All counsel are present. The Defendants are present.
					For the reasons set forth on the record, the Motion to Suppress is GRANTED
					Case continued to 12-16-14 at 1:00 p.m. for Status Conference Joint Status Report due: 12-15-14  Defendant Valentin Cortez Garcia, through his counsel Mr. Teich, informed the Court that he no longer the services of a Spanish Interpreter. No Spanish Interpreter will be ordered for further appearances.
		2:42 p.m.			Court is in adjourned